

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 20, 2005

Signature: Katherine L. Neville

Katherine L. Neville

IFW\$  
Docket No.: 30566/39634  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Rosanne M. Crooke et al.

Application No.: 10/712,795

Confirmation No.: 6394

Filed: November 13, 2003

Art Unit: 1636

For: ANTISENSE MODULATION OF  
APOLIPOPROTEIN B-EXPRESSION

Examiner: Not Yet Assigned

**PETITION TO CORRECT INVENTORSHIP IN A NON-PROVISIONAL PATENT  
APPLICATION PURSUANT TO 37 C.F.R. §1.48(A)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition, pursuant to 37 CFR § 1.48(a), to have Susan M. Freier added as a named inventor to the above-identified provisional application.

Susan M. Freier is a citizen of the United States of America, residing in San Diego, California, USA.

Applicants submit that the inventorship error occurred without deceptive intent on the part of the omitted inventors.

Also included is a Statement from Assignee Pursuant to 37 C.F.R. §1.48(a), a Statement Confirming No Deceptive Intent on the part of the inventor, and a Declaration and Assignment executed by the inventor.

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Application No.: 10/712,795

Docket No.: 30566/39634

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(i) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 13-2855, under Order No. 30566/39634. A duplicate copy of this paper is enclosed.

Dated: May 20, 2005

Respectfully submitted,

By



Katherine L. Neville

Registration No.: 53,379

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300



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In re Application of:  
Rosanne M. Crooke et al.

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**STATEMENT FROM ASSIGNEE PURSUANT TO 37 C.F.R. §1.48(A)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby assert that I am authorized to act on behalf of the assignee, Isis Pharmaceuticals Inc., 2292 Faraday Avenue, Carlsbad, California, 92008, the owner of the entire right, title and interest in U.S. Patent Application No. 10/712,795. A copy of the Notice of Recordation of Assignment evidencing transfer of ownership from the named inventors is attached as Exhibit A. A copy of an assignment from the omitted inventor to the assignee is also attached as Exhibit B. I further hereby assert that the assignee agrees to the inventorship change in U.S. Patent Application No. 10/712,795 to the following inventive entity:

Rosanne M. Crooke, Mark J. Graham, Kristina Lemonidis Tarbet, and  
Kenneth W. Dobie, and Susan M. Freier

Signed this 4<sup>th</sup> day of May, 2005 by

Name: B. Lynne Parrshall

Title: Executive Vice President and CFO

Docket No.: 30566/39634

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Application of:

Rosanne M. Crooke et al.

Application No.: 10/712,795

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For: ANTISENSE MODULATION OF  
APOLIPOPROTEIN B-EXPRESSION

Examiner: Not Yet Assigned

**STATEMENT CONFIRMING NO DECEPTIVE INTENT**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

I, Susan M. Freier, hereby state that I am to be added as an inventor to United States Patent Application No. 10/712,795, along with fellow inventor Rosanne M. Crooke, Mark J. Graham, Kristina Lemonidis Tarbet, and Kenneth W. Dobie, and I further state that the error in omitting me from being listed as an inventor occurred without deceptive intent on my part and without deceptive intent on the part of Isis Pharmaceuticals Inc., and without deceptive intent on the part of the currently named inventors.

Signed this 20 day of April, 2005 by Susan M Freier  
Susan M. Freier

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ANTISENSE MODULATION OF APOLIPOPROTEIN B EXPRESSION** the specification of which was filed on November 13, 2003 as Application Serial No. 10/712,795.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Country	Number	Date Filed	Priority Claimed		
			Yes		No

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (pending, patented)
PCT/US03/15493	11/15/2003	Pending

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Provisional Application No.	Filing Date
60/426,234	11/13/2002

I hereby appoint the following attorney(s) and/or agent(s) associated with the following customer number, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

36324

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	Full Name: Rosanne Crooke	Inventor's Signature:	Date:
	Residence: Carlsbad, CA	Citizenship: United States	
	Post Office Address: 3211 Piraqua Street, Carlsbad, California 92009		
2	Full Name: Mark Graham	Inventor's Signature:	Date:
	Residence: San Clemente, CA	Citizenship: United States	
	Post Office Address: 2305 Ola Vista, San Clemente, California 92672		
3	Full Name: Kristina Lemonidis Tarbet	Inventor's Signature:	Date:
	Residence: Oceanside, CA	Citizenship: United States	
	Post Office Address: 1652 Seattle Slew Way, Oceanside, CA 92057		
4	Full Name: Kenneth Dobie	Inventor's Signature:	Date:
	Residence: Del Mar, CA	Citizenship: United States	
	Post Office Address: 703 Stratford Court, #4, Del Mar, California 92014		
4	Full Name: Susan M. Freier	Inventor's Signature: <i>Susan M Freier</i>	Date: <i>20 April 05</i>
	Residence: San Diego, CA	Citizenship: United States	
	Post Office Address: 2946 Renault Street, San Diego, California 92122		

A S S I G N M E N T

WHEREAS, I, Susan M. Freier, residing at 2946 Renault Street, San Diego, California, hereinafter referred to as the assignor, am the joint inventor of certain inventions or improvements for which we have made application for Letters Patent to the United States, identified as Case No. 30566/39634 [DOC-0216US] entitled **ANTISENSE MODULATION OF APOLIPOPROTEIN B EXPRESSION** filed November 13, 2003 and assigned U.S. Serial No. 10/712,795.

WHEREAS, Isis Pharmaceuticals Inc. hereinafter referred to as the assignee, of 2292 Faraday Ave, Carlsbad, California 92008 is desirous of acquiring the entire right, title and interest in and to the said inventions or improvements and in and to the said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in any and all countries:

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to each of us in hand paid by said assignee, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said assignors, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over to said assignee, the entire right, title and interest in and to said inventions or improvements and said application and any and all continuations, divisions and renewals of and substitutes for said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in the United States and any and all other countries, and any reissue or reissues or extension or extensions of said Letters Patent, and assign to and authorize said assignee, to file in our names applications for Letters Patent in all countries, the same to be held and enjoyed by said assignee, its successors, assigns, nominees or legal representatives, to the full end of the term or terms for which said Letters Patent respectively may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by us had this assignment, sale and transfer not been made.

AND we hereby covenant that we have full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith, and we further covenant and agree that we will each time a request is made and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to said inventions or improvements, said application and said Letters Patent to said assignee, its successors, assigns, nominees, or legal representatives, and each of us agrees to communicate to said assignee or to its nominee all known facts respecting said inventions or improvements, said application and said Letters Patent, to testify in any legal proceedings, to sign all lawful papers, to execute all disclaimers and divisional, continuing, reissue and foreign applications, to make all rightful oaths, and is generally to do everything possible to aid said assignee, its successors, assigns, nominees and legal representatives to obtain

and enforce for its or their own benefit proper patent protection for said inventions or improvements in any and all countries.

AND we hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to issue patents on applications as aforesaid, to issue to said assignee, as assignee of the entire right, title and interest, any and all Letters Patent for said inventions or improvements, including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

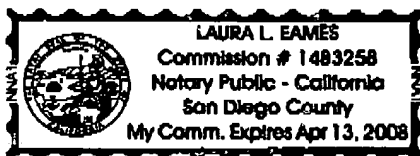
IN WITNESS WHEREOF, we have hereunto set our hands and seals.

Dated: 20-April 2005

Susan M. Freier  
Susan M. Freier

STATE OF California )  
COUNTY OF San Diego ) ss.

This 20<sup>th</sup> day of April, 2005, before me personally came the above-named Rosanne Crooke, who executed the foregoing Assignment in my presence, and who acknowledged to me that he/she executed the same of his/her own free will for the purposes set forth therein.



Laura Eames  
Notary Public

[SEAL]